



CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

ENTERED

THE DATE OF ENTRY IS ON
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed October 23, 2023



United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

In re:) Chapter 7
)
HIGHLAND SELECT EQUITY FUND GP, L.P.,¹) Case No. 23-31039-mvl7
)
 Debtor.)
)

**ORDER APPROVING STIPULATION
WITHDRAWING MOTION TO TRANSFER/REASSIGN CASE**

Upon consideration of the *Stipulation Withdrawing Motion to Transfer/Reassign Case* (the “Stipulation”)² by and between Highland Capital Management, L.P., The Dugaboy Investment Trust, Highland Select Equity Fund GP, L.P. (the “Debtor”), and Scott Seidel, the Chapter 7 Trustee of the Debtor’s estate, it is **HEREBY ORDERED THAT**:

1. The Stipulation, a copy of which is attached hereto as Exhibit A, is **APPROVED**.

¹ The Debtor’s last four digits of its taxpayer identification number are (9917). The headquarters and service address for the Debtor is 100 Crescent Court, Suite 1850, Dallas, TX 75201.

² Capitalized terms not otherwise defined in this Order shall have the meanings ascribed to them in the Stipulation.

2. The Motion shall be deemed withdrawn with prejudice, subject to the terms of the *Fifth Amended Plan of Reorganization of Highland Capital Management, L.P. (as Modified)*, as may be applicable [see Case No. 19-34054-sgj11, Docket No. 1808].
3. The Court shall retain jurisdiction over all disputes arising out of or otherwise concerning the interpretation and enforcement of the Stipulation or this Order.

###End of Order###

EXHIBIT A

PACHULSKI STANG ZIEHL & JONES LLP

Jeffrey N. Pomerantz (CA Bar No.143717) (*admitted pro hac vice*)

John A. Morris (NY Bar No. 2405397) (*admitted pro hac vice*)

Gregory V. Demo (NY Bar No. 5371992) (*admitted pro hac vice*)

Hayley R. Winograd (NY Bar No. 5612569) (*admitted pro hac vice*)

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Counsel for Highland Capital Management, L.P.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:) Chapter 7
)
HIGHLAND SELECT EQUITY MASTER FUND,) Case No. 23-31037-swe7
L.P.,¹)
)
Debtor.)

In re:) Chapter 7
)
HIGHLAND SELECT EQUITY FUND GP, L.P.,²) Case No. 23-31039-mvl7
)
Debtor.)

¹ The Debtor's last four digits of its taxpayer identification number are (0466). The headquarters and service address for the Debtor is 100 Crescent Court, Suite 1850, Dallas, TX 75201.

² The Debtor's last four digits of its taxpayer identification number are (9917). The headquarters and service address for the Debtor is 100 Crescent Court, Suite 1850, Dallas, TX 75201.

STIPULATION WITHDRAWING
MOTION TO TRANSFER/REASSIGN CASE

Debtors Highland Select Equity Master Fund, L.P. (“Select Master”) and Highland Select Equity Fund GP, L.P. (“Select GP” and together with Select Master, the Select Debtors”) and Highland Capital Management, L.P. (“Highland”), on the one hand, and The Dugaboy Investment Trust (“Dugaboy”), on the other hand, and Scott Seidel, Chapter 7 Trustee of the Select Debtors’ bankruptcy estates (the “Trustee”) hereby enter the following stipulation (the “Stipulation”):

WHEREAS, on June 12, the Debtors filed their Motion to Transfer/Reassign Case (Docket [Docket No. 9/9]³ (the “Motion to Transfer”);

WHEREAS, on July 10, 2023, Dugaboy filed its objection to the Motion to Transfer (Docket No. 17/20);

WHEREAS, on July 10, 2023, the Trustee filed his response to the Motion to Transfer (Docket No. 21/19);

WHEREAS, on July 14, 2023, Highland filed its response and joinder to the Motion to Transfer [Docket No. 26/27] (the “Joinder”, and together with the Motion to Transfer, the “Motion”);

WHEREAS, the counsel for each of the parties met and conferred in good faith and reached the following agreement to fully and finally resolve the Motion to Transfer:

1. The Motion shall be deemed withdrawn with prejudice, subject to the terms of the *Fifth Amended Plan of Reorganization of Highland Capital Management, L.P. (as Modified)*, as may be applicable [see Case No. 19-34054-sgj11, Docket No. 1808].

³ References to “Docket No. __/__” refer first to the docket maintained in the Select Master bankruptcy case and then to the docket maintained in the Select GP bankruptcy case.

2. The Court shall retain jurisdiction over all disputes arising out of or otherwise concerning the interpretation and enforcement of the Stipulation.

Dated: October 18, 2023

PACHULSKI STANG ZIEHL & JONES LLP

Jeffrey N. Pomerantz (CA Bar No.143717) (*pro hac vice*)
John A. Morris (NY Bar No. 2405397) (*pro hac vice*)
Gregory V. Demo (NY Bar No. 5371992) (*pro hac vice*)
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-and-

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Attorneys for The Dugaboy Investment Trust

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/s/ Jerry C. Alexander

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Proposed Special Counsel for Trustee

In re:
Highland Select Equity Fund GP, L.P.
Debtor

Case No. 23-31039-mvl
Chapter 7

District/off: 0539-3
Date Rcvd: Oct 24, 2023

User: admin
Form ID: pdf013

Page 1 of 2
Total Noticed: 11

The following symbols are used throughout this certificate:

Symbol Definition

- + Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 26, 2023:

| Recip ID | Recipient Name and Address |
|----------|---------------------------------------------------------------------------------------------------------------------------|
| db | + Highland Select Equity Fund GP, L.P., 100 Crescent Court, Suite 1850, Dallas, TX 75201-7817 |
| aty | Jeremy A. Root, Stinson LLP, 230 W. McCarty Street, Jefferson City, MO 65101-1553 |
| 20157225 | + Deborah Deitsch Perez, Stinson LLP 2200 Ross Avenue, Suite 2900, Dallas, TX 75201-2733 |
| 20157226 | + Highland Capital Management, LP, 100 Crescent Court, Suite 1850, Dallas, TX 75201-7817 |
| 20157228 | + Mazin Sbaiti, Sbaiti & Company PLLC, 2200 Ross Avenue, Suite 49900W, Dallas, TX 75201-2790 |
| 20157229 | + The Dugaboy Investment Trust, c/o Heller, Draper & Horn, L.L.C, 650 Poydras St., Suite 2500, New Orleans, LA 70130-6175 |
| 20157231 | U.S. Attorney, Office of the U.S. Attorney, 3d Floor, 1100 Commerce St., Dallas, TX 75242 |

TOTAL: 7

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

| Recip ID | Notice Type: Email Address | Date/Time | Recipient Name and Address |
|----------|---------------------------------------------|----------------------|------------------------------------------------------------------------------------------------------------------------------------------|
| cr | + Email/Text: dallas.bankruptcy@LGBS.com | Oct 24 2023 22:50:00 | Dallas County, Linebarger Goggan Blair & Sampson, LLP, c/o Sherrel K. Knighton, 2777 N. Stemmons Frwy, Suite 1000, Dallas, TX 75207-2328 |
| 20157227 | Email/Text: sbse.cio.bnc.mail@irs.gov | Oct 24 2023 22:50:00 | Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346 |
| 20157230 | Email/Text: pacer@cpa.state.tx.us | Oct 24 2023 22:50:00 | TX Comptroller of Public Accounts, Revenue Accounting Division, Bankruptcy Section PO Box 13528, Austin, TX 78711 |
| 20157232 | + Email/Text: ustpregion06.da.ecf@usdoj.gov | Oct 24 2023 22:50:00 | United States Trustee, 1100 Commerce Street Room 976, Dallas, TX 75242-0996 |

TOTAL: 4

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 26, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 24, 2023 at the address(es) listed below:

| Name | Email Address |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Deborah Rose Deitsch-Perez | on behalf of Creditor The Dugaboy Investment Trust deborah.deitschperez@stinson.com patricia.tomasky@stinson.com |
| Gregory V. Demo | on behalf of Creditor Highland Capital Management L.P. gdemo@pszjlaw.com, jo'neill@pszjlaw.com;ljones@pszjlaw.com;jfried@pszjlaw.com;ikharasch@pszjlaw.com;jmorris@pszjlaw.com;jpomerantz@pszjlaw.com;hwinograd@pszjlaw.com;kyee@pszjlaw.com;lsc@pszjlaw.com |
| Hayley R Winograd | on behalf of Creditor Highland Capital Management L.P. hayleywinograd@gmail.com |
| Hudson M. Jobe | on behalf of Debtor Highland Select Equity Fund GP L.P. hjobe@qslwm.com, nchancellor@qslwm.com |
| Jeffrey Nathan Pomerantz | on behalf of Creditor Highland Capital Management L.P. jpomerantz@pszjlaw.com |
| Jerry C. Alexander | on behalf of Trustee Scott M. Seidel alexanderj@passmanjones.com chandlers@passmanjones.com |
| John A Morris | on behalf of Creditor Highland Capital Management L.P. jmorris@pszjlaw.com |
| Melissa S. Hayward | on behalf of Creditor Highland Capital Management L.P. MHayward@HaywardFirm.com, mholmes@HaywardFirm.com |
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| Scott M. Seidel | on behalf of Trustee Scott M. Seidel scott@scottseidel.com susan.seidel@earthlink.net;sms01@trustesolutions.net |
| Sherrel K. Knighton | on behalf of Creditor Dallas County Sherrel.Knighton@lgbs.com Dora.Casiano-Perez@lgbs.com;Sean.French@lgbs.com;Eva.Parker@lgbs.com;Alexis.Hall@lgbs.com;Dallas.Bankruptcy@lgbs.com |
| United States Trustee | ustpregion06.da.ecf@usdoj.gov |
| Zachery Z. Annable | on behalf of Creditor Highland Capital Management L.P. zannable@haywardfirm.com |

TOTAL: 13